

REMARKS

Claims 1-17 are pending in the present application as amended. Claims 1-17 have been amended to recast the invention in terms of a computer-readable medium, and to otherwise recite the subject matter of the application in a more agreeable context. Applicants respectfully submit that no new matter has been added to the application by the Amendment.

The Examiner states in the Office Action that the Declaration is defective because of non-initialed and/or non-dated alterations, and has required a newly executed declaration. Applicants respectfully traverse the requirement for the new Declaration.

Applicants upon reviewing the executed Declaration documents find that Applicant Jai Menon has crossed out an incorrect citizenship, filled in a correct citizenship, and initialed and dated the correction. Accordingly, the execution by Applicant Menon should be acceptable. Applicant John D. Sess has signed in two places including a signature line and a date line, but then also filled in the date at the date line. Accordingly, the execution by Applicant Sess contains no alterations at all and should be acceptable.

Finally Applicant Donna K. Hodges has also signed in two places including a signature line and a date line, but in this instance such Applicant crossed out the signature at the date line and filled in the date instead. However, and significantly, 37 CFR 1.63 in detailing the requirements of a Declaration does not even require any date of execution, and MPEP 602.05 also emphasizes that the date of execution as set forth on a Declaration is all but irrelevant. Accordingly, Applicants respectfully submit that the failure of Applicants Donna K. Hodges to initial and date the crossed-out signature has no material effect on the validity of the executed Declaration.

As a result, Applicants respectfully submit that the executed Declaration as filed is indeed proper and that the requirement of the Examiner for a new Declaration should be withdrawn. Thus, Applicants in fact request reconsideration and withdrawal of the requirement for a new Declaration.

The Examiner has rejected claims 1-17 under 35 USC § 101 for the reason that the claims do not recite statutory subject matter. In particular, the Examiner states that the claims do not fall within a technological art. Applicants respectfully traverse the section 101 rejection insofar as it may be applied to the claims as amended.

Applicants have amended the claims of the present application to recite a computer-readable medium having stored thereon computer-executable instructions for performing a method, and are of the belief that the claims as so re-cast now recite statutory subject matter within a technological art. Accordingly, Applicants respectfully request reconsideration and withdrawal of the section 101 rejection.

The Examiner has also rejected claims 1-17 under 35 USC § 103(a) as being obvious over Putt (U.S. Patent Application No. 2003/0097296). Applicants respectfully traverse the section 103 rejection.

Independent claim 1 as amended recites a computer-readable medium having stored thereon computer-executable instructions for performing a method in connection with an organization having a plurality of entities. The method is for acquiring a resource for at least two of the entities. In such method, a centralized agent of the organization receives a request for the resource from at least two of the entities and reviews each request for the resource. A vendor capable of supplying the resource of the requests to the organization is

selected, and the centralized agent designates at least one individual from the organization to work with the selected vendor in developing and supplying the resource of the requests.

The centralized agent and the designated individual produce a single qualified request to be submitted to the selected vendor, the qualified request is submitted to the selected vendor, and an agreement with the selected vendor is produced regarding terms by which the selected vendor agrees to supply the resource of the qualified request to the organization. The centralized agent reviews the produced agreement in view of the qualified request and approves same, and the selected vendor thereafter undertakes to develop and supply the resource of the qualified request according to the approved agreement. The centralized agent monitors the progress of the selected vendor according to the produced and approved agreement.

As may be appreciated based on the specification of the present application, by employing a centralized agent to perform resource acquisition, a large organization such as a large corporation with many constituent entities may centralize such resource acquisition and gain efficiencies thereby. In particular, it is oftentimes the case that more than one entity within an organization requires the same specific resource, and yet each entity acquires such same specific resource from a different vendor at a premium price. With the present invention, then, resource acquisition requests are centrally received from each of the entities and assessed, and at least one particular favored vendor is selected to supply the particular resource to all of the requesting entities within the organization.

The Putt reference discloses a system whereby a project including a plurality of activities and qualifications is defined and a Request for Proposal (RFP) is prepared from the project definition and forwarded to a plurality of service providers. Proposals are

received from prospective service providers and ranked based on evaluations of past performance of the prospective service providers. At least one of the prospective service providers is selected to perform the project, terms of performance are negotiated with the prospective service providers.

Thus, the Putt system is disclosed as being a project management system, and thus organizes and manages performance of a project. In contrast, the system of the present application is not a project management system but instead is a resource procurement system for ensuring that multiple entities of an organization acquire resources therefor in an efficient and cost-effective manner.

In particular, the Putt reference does not disclose or suggest that in acquiring a resource for at least two entities of a n organization, a centralized agent of the organization should or could receive a request for the resource from at least two of the entities and review each request for the resource, as is required by claim 1. Likewise, the Putt reference does not disclose or suggest that a centralized agent produce a single qualified request based on the requests from the at least two entities to be submitted to the selected vendor, as is required by claim 1, or that the centralized agent act for the at least two entities in reviewing a produced agreement in view of the qualified request and approving same, and monitoring the progress of the selected vendor according to the produced and approved agreement on behalf of the at least two entities, as is required by claim 1.

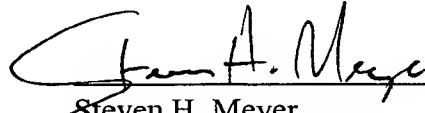
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Accordingly, Applicants respectfully submit that the Putt reference cannot be applied to make obvious the subject matter of claim 1 or any claims depending therefrom, including claims 2-17. Accordingly, Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection.

Respectfully submitted,

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